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| 10/805,717 | 03/22/2004 | Arnd Paulsen | PD030035 | 9217 |

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| EXAMINER | |
|---|---|
| TRAN, TRANG U | |
| ART UNIT | PAPER NUMBER |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/805,717 | PAULSEN, ARND | |
| | Examiner | Art Unit | |
| | Trang U. Tran | 2622 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *11 December 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on December 11, 2008 has been entered.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the relevant output" in lines 22-23. There is insufficient antecedent basis for this limitation in the claim.

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujita et al. (US Patent No. 6,768,519 B2).

In considering claim 1, Fujita et al (15th embodiment Figs. 67-69) discloses all the claimed subject matter, note 1) the claimed a method for controlling a device for the distribution and processing of video signals, the device having a number inputs and outputs and also signal processing stages which can optionally be switched into the signal paths for the processing of the input signals is met by the video signal processing (Figs. 1-4 and 67-69), 2) the claimed (a) input signals are represented on a display with an input symbol is met by the information (symbols, graphics, images or characters, etc...) input channels (Figs. 67-69, col. 37, line 1 to col. 38, line 52), 3) the claimed (b) input signals with common properties are assigned input symbols which have a common color property and/or graphical property is met by the information (symbols, graphics, images or characters, etc...) input channels that an operator of the video processing apparatus controls selection switch could be assigned to specific video signal processing units or groups for control (Figs. 67-69, col. 2, lines 30-43 and col. 37, line 1 to col. 38, line 52), 4) the claimed (c) the relations between a specific input symbol and the assigned input signal is met by the storing of the path information (Figs. 67-69, col. 37, lines 1-59), 5) the claimed (d) an output of the device is assigned an output symbol, which represents the desired properties of the output signal in the same way as the input symbols represent the properties of the input signals is met by the information

(symbols, graphics, images or characters, etc...) output channels 282 (Figs. 67-69, col. 37, line 1 to col. 38, line 52), and 6) the claimed (e) an output symbol is assigned to an input symbol, 25 whereupon the relevant input is connected to the relevant output is met by the path information generating means 281 (Figs. 67-69, col. 37, line 1 to col. 38, line 52).

However, Fujita et al (15th embodiment Figs. 67-69) explicitly do not disclose the claimed the relevant input are stored.

Fujita et al (1st embodiment Figs. 5-11) disclose that at step S1, the input operation from and operator for instruction storage is received, at step S2, the states of intersections are read from the matrix switch 106, at step S3, the read states of intersections are written into the storage means (col. 19, line 1 to col. 10, line 32).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the storage means as taught by Fujita et al (1st embodiment Figs. 5-11) into Fujita et al (15th embodiment Figs. 67-69)'s system in order to store the settings of the matrix switch performed to the storage means and can be reproduced when used at a later time.

In considering claim 2, the claimed wherein the input signals have predefined properties and the input 30 symbols are assigned in a manner dependent on the predefined properties of the input signals is met by the information (symbols, graphics, images or characters, etc...) input channels that an operator of the video processing apparatus controls selection switch could be assigned to specific video signal

processing units or groups for control (Figs. 67-69, col. 2, lines 30-43 and col. 37, line 33 to col. 38, line 52).

In considering claim 3, the claimed wherein the input signals are analyzed with regard to their properties and the input symbols are assigned in a manner dependent on the ascertained properties of the input signals is met by the information (symbols, graphics, images or characters, etc...) input channels that an operator of the video processing apparatus controls selection switch could be assigned to specific video signal processing units or groups for control (Figs. 67-69, col. 2, lines 30-43 and col. 37, line 33 to col. 38, line 52).

In considering claim 4, the claimed wherein the properties of the input signals are structured in groups and the assigned symbols are reflected by visual commonalities is met by the information (symbols, graphics, images or characters, etc...) input channels that an operator of the video processing apparatus controls selection switch could be assigned to specific video signal processing units or groups for control (Figs. 67-69, col. 2, lines 30-43 and col. 37, line 33 to col. 38, line 52).

In considering claim 5, the claimed wherein the properties of the output signals are structured in groups and the assigned symbols are reflected by visual commonalities is met by the information (symbols, graphics, images or characters, etc...) input channels that an operator of the video processing apparatus controls selection switch could be assigned to specific video signal processing units or groups for control (Figs. 67-69, col. 2, lines 30-43 and col. 37, line 33 to col. 38, line 52).

In considering claim 6, the claimed wherein the properties of the input and output signals are structured in groups and the assigned symbols are reflected by visual commonalities is met by the information (symbols, graphics, images or characters, etc...) input channels that an operator of the video processing apparatus controls selection switch could be assigned to specific video signal processing units or groups for control (Figs. 66-69, col. 2, lines 30-43 and col. 37, line 33 to col. 38, line 52).

In considering claim 7, the claimed wherein signal processing stages are switched into the signal path in order to convert the properties of the input signal into the properties of the output signal is met by the path information generating means 281 (Figs. 67-69, col. 37, line 33 to col. 38, line 52).

In considering claim 8, the claimed wherein the connection of the signal path between an input and an output is effected by the actuation of a crossbar is met by the matrix switch 106 (Figs. 67-69, col. 37, line 33 to col. 38, line 52).

In considering claim 9, the claimed wherein the conversion of the properties of input signals is effected by the actuation of signal converters is met by the path information generating means 281 (Figs. 67-69, col. 37, line 33 to col. 38, line 52).

In considering claim 10, the claimed wherein the connection of the signal path between an input and an output is effected by the confirmation of a multiplexer is met by the selecting switch 284 (Figs. 67-69, col. 37, line 33 to col. 38, line 52).

In considering claim 11, the claimed wherein the connection of the signal path between an input and an output is effected by the confirmation of a demultiplexer is met

by the information on path to two or more or all output channels, rather than single output channel, may be output (Figs. 67-69, col. 37, line 33 to col. 38, line 52).

In considering claim 12, the claimed wherein the connection of the signal path between an input and an output is effected by the confirmation of a multiplexer and of a demultiplexer is met by the selecting switch 284 and the information on path is divided to two or more or all output channels, rather than single output channel, may be output (Figs. 67-69, col. 37, line 33 to col. 38, line 52).

In considering claim 13, the combination of Fujita et al (15th embodiment Figs. 67-69) and Fujita et al (1st embodiment Figs. 5-11) disclose all the limitations of the instant invention as discussed in claims 1 and 7 above, except for providing the claimed wherein a check is made to determine whether the properties of an input signal can be converted into the desired properties of an output signal, and if that is not possible, the assignment of the relevant input symbol to the relevant output symbol is not permitted. Fujita et al (9th embodiment Figs. 54-55) teach that the check means 223 represents a function of the matrix control console 221, it has the function of checking if there is a problem in the paths constructed as a result of control operations of the matrix switch using the matrix control console 221 and giving a warning if there is a problem (Figs. 54-55, col. 32, line 16 to col. 33, line 37).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the check means as taught by Fujita et al (9th embodiment Figs. 54-55) into the combination of Fujita et al (15th embodiment Figs. 67-69) and Fujita et al (1st embodiment Figs. 5-11)'s system in order to prevent the

execution of erroneous settings and giving the operator a chance to reset them, an apparatus superior in operability and safely is able to be achieved.

In considering claim 14, the combination of Fujita et al (15th embodiment Figs. 67-69) and Fujita et al (1st embodiment Figs. 5-11) disclose all the limitations of the instant invention as discussed in claims 1 and 7 above, except for providing the claimed wherein a check is made to determine whether the device is able to perform the desired signal conversion. Fujita et al (9th embodiment Figs. 54-55) teach that the check means 223 represents a function of the matrix control console 221, it has the function of checking if there is a problem in the paths constructed as a result of control operations of the matrix switch using the matrix control console 221 and giving a warning if there is a problem (if the formats of the video signals being transmitted are different for each unit or each input channel and output channel, connection of a path having a different format will cause a problem and will be warned about) (Figs. 54-55, col. 32, line 16 to col. 33, line 37).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the check means as taught by Fujita et al (9th embodiment Figs. 54-55) into the combination of Fujita et al (15th embodiment Figs. 67-69) and Fujita et al (1st embodiment Figs. 5-11)'s system in order to prevent the execution of erroneous settings and giving the operator a chance to reset them, an apparatus superior in operability and safely is able to be achieved.

Claim 15 is rejected for the same reason as discussed in claim 14 above.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 9:00 AM - 6:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

January 21, 2009

/Trang U. Tran/
Primary Examiner, Art Unit 2622